



CCM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Attorney Docket No. 71493-863

In re application of FREDERIC SIMARD, ET AL )  
Serial No.: 09/750,015 ) Art Unit: 2642  
Filed : DECEMBER 29, 2000 ) Examiner:  
For : APPARATUS AND METHOD FOR PACKET- )  
BASED MEDIA COMMUNICATIONS )

DECLARATION

RECEIVED

MAY 29 2001

OFFICE OF PETITIONS

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Christopher MacMillan, of 3-721 Church St., Ottawa, Ontario, Canada K1K 3K3, make oath  
and say:

1. I am a Senior Patents Coordinator, employed by Fetherstonhaugh & Co., under which I am authorized to represent Smart & Biggar and Fetherstonhaugh & Co..
2. I assist James McGraw, agent representing the Applicants in United States Patent Application Serial Number 09/750,015, filed December 29, 2000, entitled APPARATUS AND METHOD FOR PACKET-BASED MEDIA COMMUNICATIONS.
3. On April 19, 2001, I sent to Mr. Cuddy by courier at his home address the Declaration and Assignment, along with a copy of the complete specification including claims and drawings, for execution.
4. On May 15, 2001 the documents and letter were returned with a note saying "Mr. Cuddy is no longer employed by Nortel".

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5. On May 16, 2001 I telephoned Mr. Cuddy who indicated that he would not sign any documents relating to this application or any other matter to do with his former employer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

FREDERIC SIMARD, ET AL

By

  
Chris MacMillan  
Smart & Biggar

Dated: May 23, 2001

Ottawa, Ontario, Canada  
Tel: (613) 232 2486 ext. 310

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